

ROSS I. BOOHER
TEL: (615) 742-7764
FAX: (615) 742-0450
Rbooher@bassberry.com

BASS, BERRY & SIMS PLC

A PROFESSIONAL LIMITED LIABILITY COMPANY
ATTORNEYS AT LAW

AMSOUTH CENTER
315 DEADERICK STREET, SUITE 2700
NASHVILLE, TN 37238-3001
(615) 742-6200

www.bassberry.com

OTHER OFFICES:

NASHVILLE MUSIC ROW
KNOXVILLE
MEMPHIS

REC'D TN
REGULATORY
02 JUN 14 PM 1 19

OFFICE OF THE
EXECUTIVE SECRETARY

June 14, 2002

VIA HAND DELIVERY

Mr. K. David Waddell
Executive Secretary
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37243

Re: Complaint of Michael Van Wies against CenturyTel of Ooltewah-Collegedale, Inc., TRA Docket No. 02-00058.

Dear Mr. Waddell:

Enclosed please find 14 copies of a letter that has been sent to Michael Van Wies on behalf of CenturyTel of Ooltewah-Collegedale, Inc. for filing in the above-referenced docket. Also enclosed is an additional copy of the letter to Michael Van Wies, which I would appreciate your stamping as "filed," and returning to me by way of our courier.

Should you have any questions with respect to this filing, please do not hesitate to contact me.

Very truly yours,



Ross I. Booher

RIB/cw

Enclosures

cc: Mr. Michael Van Wies
Ms. Susan Smith

BASS, BERRY & SIMS PLC

A PROFESSIONAL LIMITED LIABILITY COMPANY
ATTORNEYS AT LAW

ROSS I. BOOHER
TEL: (615) 742-7764
FAX: (615) 742-0450
rbooher@bassberry.com

AMSOUTH CENTER
315 DEADERICK STREET, SUITE 2700
NASHVILLE, TN 37238-3001
(615) 742-6200

OTHER OFFICES:

NASHVILLE MUSIC ROW
KNOXVILLE
MEMPHIS

www.bassberry.com

June 14, 2002

VIA FACSIMILE: 423/238-9088
AND FEDERAL EXPRESS

Michael Van Wies
8504 Horseshoe Bend Lane
Ooltewah, TN 37363-5627.

Re: Petition of Michael Van Wies, T.R.A. Docket No. 02-00058

Dear Mr. Van Wies:

As we discussed last evening, CenturyTel received your response to our Request for Discovery. However, you left many of CenturyTel's interrogatories either entirely or partially unanswered and failed to produce any documents or information. Furthermore, you failed to sign your response under oath as requested and required. As I explained in our teleconference, CenturyTel considers your current response incomplete and evasive. We request that you provide us with a full, complete, sworn response to our Discovery Request, including complete, responsive answers to each of our interrogatories and requests for production without delay.

Last night I identified to you in detail the answers that CenturyTel considers incomplete or non-responsive to our requests. I also explained in great detail the information that CenturyTel seeks in each interrogatory and how you could go about obtaining the information necessary to fully answer each interrogatory. As requested and agreed in our teleconference, I have set forth in writing the interrogatories for which you provided non-responsive and/or incomplete answers:

- **Interrogatory No. 1** -- You only partially answered this interrogatory. You failed to identify how you use the terms "we", "the community", "some consumer", etc. in each place in which you use those terms in your Petition. It is important that those who read your Petition be able to determine to whom you are referring each and every time you use those terms. This is particularly important since you apparently use those terms to refer to different people in different places throughout your Petition. Furthermore, you failed to identify what authority you have, if any, to

represent anyone but yourself before the Tennessee Regulatory Authority ("TRA").

- **Interrogatory No. 2** -- Your answer to this question is completely non-responsive. Please tell us exactly which claims you intend to pursue against CenturyTel before the TRA at this time. In the event you later make decisions which affect which claims you intend to pursue, you can inform us of that in a supplemental written discovery response, as you are required to do.
- **Interrogatory No. 3** -- Your answer to this question is completely non-responsive. If you have no facts, documents, witnesses or any legal basis to support your claims, then you are obligated to state that. If you do have facts, documents, witnesses and legal bases to support each of the individual claims that you intend to pursue against CenturyTel, then you need to provide all the information requested in this interrogatory for *each* specific claim. It is important that you identify which facts, documents, witnesses and legal bases you believe you have for *each* specific claim you are pursuing.
- **Interrogatory No. 4** -- Your answer to this question is completely non-responsive. If you have already listed every witness to the facts surrounding each of your claims in response to the interrogatories listed above, then you are obligated to state that. If you know of witnesses to the claims that you are pursuing that you have not already identified in your responses above, then you need to identify them in response to this interrogatory.
- **Interrogatory No. 5** -- You only partially answered this interrogatory. You failed to identify your immediate supervisor(s). If they are all retired you can state that but you still need to identify them. You are encouraged to review the definition of "identify" on page 3 of CenturyTel's Request for Discovery so that you completely respond to this interrogatory.
- **Interrogatory No. 6** -- CenturyTel requests that you fully and completely respond to this interrogatory. The information sought is relevant, among other reasons, to determining your plan, motive and intent with regard to your actions against CenturyTel.

- **Interrogatory No. 7** -- You failed to respond to (a) through (h) of this interrogatory. You are encouraged to contact your expert(s) to obtain the information necessary to fully and completely answer this interrogatory.
- **Interrogatory No. 8** -- CenturyTel requests that you fully and completely respond to this interrogatory. The information sought is relevant, among other reasons, to determining your plan, motive and intent with regard to your actions against CenturyTel.
- **Interrogatory No. 9** -- Your answer to this question is non-responsive and incomplete. The information you have provided to the TRA in this matter which is posted on the TRA website, is far less specific than the information requested by this interrogatory. Please read this interrogatory carefully and provide the detailed information requested to the best of your ability. For example, if you do not remember a full name or exact date then so state and instead give the greatest amount of detail that you can remember (e.g., first names, month of the year, etc.).
- **Interrogatory No. 11** -- You only partially answered this interrogatory. You failed to answer (a) through (d). Please answer this interrogatory completely, providing specific answers for each company that you contacted. If, upon further reflection, you realize that you did not contact some companies, then so state.
- **Interrogatory No. 12** -- Your answer to this interrogatory was completely non-responsive. CenturyTel requests that you answer this interrogatory fully.
- **Interrogatory No. 13** -- You did not provide explanations to your denials to Requests for Admission (3), (5), (6), (8), (9), (10), and (11). If you have explanations or additional comments explaining or qualifying your denials then please so state.

CenturyTel also requests that you reread every request for production and produce every document or thing that is requested. You have a legal duty to make diligent efforts to produce all requested documents and things. When you sign under oath your response to Century's Request for Discovery you are swearing that you have made diligent efforts to fully answer each request and that your answers are truthful and complete. For this reason you are encouraged to review every request, your response to every request, and make sure all your answers are truthful, non-evasive and complete.

Michael Van Wies
June 14, 2002
Page 4

Pursuant to the TRA's May 24th scheduling order and June 7th amendment thereto, your complete, sworn response is due today. Due to the very short discovery schedule **CenturyTel will have no choice but to immediately pursue available legal remedies if we have not received your complete and sworn discovery responses, including full answers to every interrogatory and all requests for production, by 9:00 AM on Monday, June 17th.**

Sincerely,

A handwritten signature in cursive script, appearing to read "Ross Booher".

Ross Booher

cc: Jonathan Wike